IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.580 OF 2006
IN
CRI.BAIL APPLICATION NO.1737 OF 2006

The State of Maharashtra. ..Applicant.

V.s.

1.Harish Sitaram Shetty.
2.Arvind Gajanan Joshi. ..Respondents.

Mr.Borulkar, Public Prosecutor with Ms.S.V.Gajare, APP for applicant-State.

CORAM: A.M.KHANWILKAR,J
DATE : NOVEMBER 29, 2006.

P.C.:

1. The respondents herein were ordered to be released on bail during the pendency of the trial. However, they have not reported to the police station or before the Court, as was required to be done. In the circumstances, State has moved this application for cancellation of bail granted in favour of respondents herein. Besides, the State has also initiated action against the respondents for declaring them as proclaimed offender. As order has been passed by the trial Court on 6th December, 2005 declaring the Respondent as proclaimed offender, fugitives cannot be allowed to pursue their claims, much less to be continued on bail, which indulgence was shown on the expectation that the accused will

submit to the jurisdiction of the Court and abide by the direction given by the Court. The Respondents are not present before this Court inspite of notice of the present proceedings. In the circumstances, it is in the interest of the justice to allow this application and cancel the bail granted in favour of the respondents on the earlier occasion. It is only then the trial against other accused, who are in jail can proceed smoothly.

2. Accordingly, this application is allowed. Police to act on this order and take appropriate steps in accordance with the law against the respondents.